

REMARKS

Claims 1, 2, 7, 8, 19, 20, 29, 30, and 32-34 are pending. By this Amendment, claims 1, 8, 19, 29, and 32 are amended, claims 5, 6, 35, 36, 39-43, 47-50, 54, and 55 are cancelled without prejudice or disclaimer, and FIG. 9 is replaced. No new matter is added.

Claim 8 is amended for clarity. Claim 29 is amended to depend from claim 1 and for antecedent basis. Support for the amendments to claims 1, 19, and 35 is found, for example, in paragraph [0035] of the Specification. In FIG. 9, a repeated word "DEFECT" is deleted from action 910.

For the following reasons, reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §102:

On page 2, item 2 of the Office Action, claims 1, 2, 5-8, 19, 20, 29, 30, 32-36, 39-43, 47-50, 54, and 55 are rejected under 35 U.S.C. §102(b) as being anticipated by Ito et al. (U.S. Patent 6,160,778). The rejection of cancelled claims 5, 6, 35, 36, 39-43, 47-50, 54, and 55 is moot. As to the remaining claims, the rejection is respectfully traversed.

Regarding claims 1, 19, and 32, Ito fails to disclose or suggest the temporary defect information that includes a position of a defective area of the data area and a position of a replacement area of the defective area. Also, Ito fails to disclose or suggest the temporary defect management information that includes information on a position of the temporary defect information. Instead, Ito simply discloses a rewritable information recording medium (a disk 1) including a defect management information area 4b to store defect management information to manage defective sectors (see, for example, col. 9, lines 15-17, col. 10, lines 6-9, and FIGS. 1A, 1B, and 3 of Ito). The defect management information 10 of the defect management information area 4b includes a secondary defect list (SDL) 13 that includes one or more SDL entries 22, which includes a status field 22a, a field 22b to store location information of a defective sector, and a field 22c to store location information of a replacement sector for the defective sector (see, for example, col. 10, lines 10-14, lines 22-29, lines 30-36, and FIGS. 1B, and 3 of Ito). In the Office Action, the field 22b is asserted to be the temporary defect information and the field 22c is asserted to be the temporary defect management information.

It is respectfully submitted, as a location information of a replacement sector for the

defective sector, the field 22c is not the temporary defect management information that includes information on a position of the temporary defect information, as called for in claims 1, 19, and 32. Specifically, the field 22c refers to a sector that replaces a defect area, but not to an area with information on how to link the defective area with a replacement area. Accordingly, claims 1, 19, and 32 are patentably distinguishable over the applied reference to Ito.

Further, regarding claim 32, Ito fails to disclose or suggest that the storage medium is a write-once storage medium. Instead, Ito discloses that the disk 1 is a rewritable information recording medium (see, for example, col. 9, lines 15-17, col. 16, lines 40 and 42, and col. 19, line 59 of Ito). Accordingly, as a rewritable disk, Ito fails to disclose a write-once storage medium. Accordingly, claim 32 is further patentably distinguishable over the applied reference to Ito.

Additionally, claims 2, 7, 8, 29, and 30, which depend from claim 1, claim 20, which depends from claim 19, and claims 33 and 34, which depend from claim 32, are likewise patentably distinguishable over the applied reference to Ito for at least their dependence from their respective independent claims, and for their added features. Withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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